

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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Federal Communications Commission
Office of Secretary

In the Matter of)

Amendment of Part 73 to More Effectively)
Resolve Broadcast Blanketing Interference)

MM Docket No. 96-62

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**COMMENTS OF
TELECOMMUNICATIONS INDUSTRY
ASSOCIATION/UPED**

The User Premises Equipment Division of the Telecommunications Industry Association ("TIA/UPED") hereby comments on the Notice of Proposed Rule Making ("Notice") in the above-captioned proceeding, FCC 96-124, released April 26, 1996.¹ On its own motion, the Commission proposes to clarify and consolidate its rules regarding AM and FM broadcast interference, explicitly including television broadcasting for the first time, with the aim of making it easier for broadcasters and affected equipment users to understand their respective obligations for resolving issues of "blanketing interference."²

Summary. Telecommunications terminal equipment complying with TIA-631, as described below, should be covered by proposed Section 73.1630, but adherence to that newly-published standard should be voluntary.

¹ 11 FCC Rcd 4750 (1996).

² "A blanketing area is the area in the immediate vicinity of a broadcast station, where the signal of that station is so strong that it interferes with reception of other stations irrespective of the stations' frequencies." (Notice, n.3)

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Statement of Interest. TIA/UPED's membership of more than 240 companies and organizations includes manufacturers, suppliers, distributors, consultants, test laboratories, and others with an interest in equipment and distribution systems used at a customer's premises both residential and commercial. Together with the Electronic Industries Association ("EIA"), TIA developed ANSI/TIA/EIA-631, "Telecommunications Telephone Terminal Equipment -- Radio Frequency Immunity Requirements for Equipment Having an Acoustic Output" ("TIA-631"), referenced in the Notice (note 28) by its then-project number, PN-3210.

Background. During 1991-92, large numbers of consumer complaints about radio frequency interference ("RFI") to telecommunications terminal equipment prompted the FCC to seek industry help in mitigating these problems. Under the auspices of the agency's Los Angeles Regional Field Office, a series of open meetings was convened to address public education, improvement of product design and related topics. Under its TR-41 Committee, TIA created Working Group TR-41.7.3 (Electromagnetic Compatibility, or EMC) of the Environmental and Safety Considerations Subcommittee, TR-41.7

The Working Group received comments and suggestions from, among others, the FCC, IEEE Standards Committee C63, the American Radio Relay League, radio and TV station engineers and telecommunications equipment manufacturers. One of the early products was an information sheet, distributed by the FCC and others, aimed at helping consumers diagnose and remedy RFI in telecommunications terminals.

Discussion. TIA/UPED focuses these initial comments on the large and growing problem of telephone interference, about which the FCC says it receives some 25,000 complaints annually. The agency estimates that

substantial minorities of these complaints -- 20% concerning AM radio, 10% FM -- involved broadcast sources of RF, while most of the rest were traceable to citizens band ("CB") and amateur radio transmissions. At the same time, the Commission's surveys led it to conclude, in 1994, "that manufacturers apparently can design telephones to be interference free." Those surveys, however, did not include Personal Communications Service ("PCS") phones. (Notice, ¶23)

In fact, the Notice is concerned with interference to all telephones and wireless devices³, and asks four specific questions at ¶24. TIA/UPED responds as follows:

• 24a and b. *Should the Commission require broadcasters to resolve interference to telephones; and if so, to what extent?*

Yes, phones complying with TIA-631 should be covered by new Section 73.1630, meaning that if the complaining user is within the blanketing contour and files a complaint within the first year of operation of the offending broadcast station, the station licensee is financially responsible for resolving the interference; and that if the complaint falls beyond the first year of operation, the user is entitled to technical assistance from the broadcaster to resolve the interference. The same technical assistance, without financial responsibility, applies to first-year complaints of users beyond the blanketing contour.

³ This is a change from the early 1980s, when the blanketing interference rules were last substantially revised. With cellular telephony still in its infancy, the FCC was able to rationalize and adhere to "past Commission policy [that] has normally excluded [mobile receivers] from consideration due to their inherent transient nature." *FM Broadcast Station Blanketing Interference*, 57 RR 2d 126 (1984), at ¶25. The proposed new consolidated rule, Section 73.1630, continues to refuse protection to mobile receivers and to mobile wireless telephones, but would afford it to "fixed radio sites for cellular systems, private radio services, SMR and PCS systems." 11 FCC Rcd at 4759.

• 24c and d. *Should the Commission rely on industry voluntary efforts to implement interference free design standards for telephones; and if so, should non-complying phones be given any protection from blanketing interference?*

TIA continues to support voluntary standards, and believes TIA-631 is well-suited to the purpose. Since TIA-631 specifies telephone immunity at a 3 V/m level, complying phones should be trouble-free over much of the blanketing area defined in the Notice.

However, the effectiveness of TIA-631 and the voluntary immunity approach will take some time to recognize, and it is too soon to impose mandatory immunity standards. The collaborative FCC-industry approach described above has been underway less than five years, and the ANSI/TIA/EIA standard itself was only published two months ago.

One means of increasing manufacturer awareness under the voluntary approach would be to include on FCC Form 730 a box to be checked for compliance with TIA-631⁴. This would enable the Commission to obtain, cost-effectively, statistical data on the extent of industry adoption of RFI immunization measures in telecommunications equipment design.

Telecommunications terminal equipment not complying with TIA-631 should not be covered under new Section 73.1630.⁵

⁴ However, such compliance would not be required for approval of the equipment authorization sought.

⁵ It is common for industry standards to be incorporated into agency rules for substantive effect or procedural guidance. See, e.g., technical standards for hearing aid-compatible telephone handsets at Section 68.316 of the FCC's Rules, 47 C.F.R. §68.316 (1995), and frequent references to Society of Automotive Engineers ("SAE") adoptions throughout Federal Motor Vehicle Safety Standard No. 108, 49 C.F.R. §571.108 (1995). Use of consensual industry standards also is consonant with Section 12 of the recently-enacted National Technology Transfer Act, P.L. 104-113, which augmented the charter of the National Institute of Standards and Technology to "coordinate the use by Federal agencies of private sector standards, emphasizing where possible the use of standards developed by private, consensus organizations."

CONCLUSION

For the reasons discussed above, the Commission should include within its proposed consolidated blanketing interference rule, Section 73.1630, telephones complying with TIA-631; but should continue to rely on manufacturers' voluntary adoption of this or a similar standard for minimizing broadcast interference to telephone users.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY
ASSOCIATION/UPED

By 

Ronald Angner, Chair
TIA User Premises
Equipment Division
2500 Wilson Boulevard
Arlington, Virginia 22201

James R. Hobson
Donelan, Cleary, Wood & Maser
1100 New York Avenue N.W.
Suite 750
Washington, D.C. 20005-3934
(202) 371-9500

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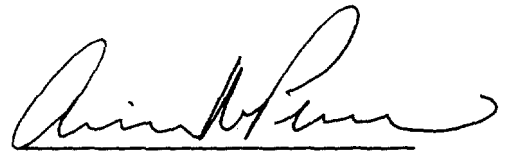
ITS ATTORNEY

Certificate of Service

Copies of the foregoing Comments of TIA/UPED were delivered by hand June 25, 1996 to the following:

Robert Greenberg
Mass Media Bureau, FCC
1919 M Street N.W., Room 332

Bernard Gorden
Mass Media Bureau, FCC
2025 M St. N.W., Room 8112

A handwritten signature in black ink, appearing to read 'Aimee DePew', written over a horizontal line.

Aimee DePew